

EPA REGION III

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Tuesday, March 20, 2012

***** PM HOT LIST *****

Casey To EPA: As Gas Prices Spike, Consider Pittsburgh Summer

Gasoline Waiver **NORTHCENTRALPA.COM** U.S. Sen. Bob Casey (D-PA) Friday called on the U.S. Environmental Protection Agency to consider granting a temporary waiver for Pennsylvania for summer gasoline blend requirements, which would help alleviate supply constraints and combat skyrocketing prices at the pump. **Today** on the same issue, Department of Environmental Protection Secretary Michael Krancer sent a letter to EPA Region III Administrator Shawn M. Garvin saying DEP is "closely following the low RVP gasoline situation and we are in the process of evaluating alternative supply options for this summer in light of the three refinery closures in southeastern Pennsylvania." "In dealing with rising gas prices, the Pittsburgh region faces the additional challenge of a requirement to use a special kind of gasoline in the summer months," Sen. Casey said. "During this difficult economic time and because of potential supply shortages that could further increase prices, the EPA should consider a waiver that will give consumers in southwest Pennsylvania a break at the pump this summer."

Marcellus shale protective bills advance in House

MARYLANDREPORTER.COM Maryland wants to set a gold standard for safety to drill for natural gas in western Maryland's Marcellus shale deposits, which could start as soon as as August 2014. The House moved two drilling-related bills closer to passage Monday night. One funds an impact study and the other provides legal recourse to Marylanders if health and property are adversely affected by drilling. "There is a presumption of liability," Del. Heather Mizeur D-Montgomery, the lead sponsor of the bills, said on Friday. "If there is contamination of the water supply, the presumption is that the driller caused it, and they have to prove they didn't, rather than the onus being on the community to prove the gas company is liable." Drilling companies must prove they are innocent if contamination occurs within in a certain time frame and within a certain distance from a drilling rig, Mizeur said. The second bill funds a study by the Marcellus Shale Advisory Commission paid for by a one-time fee of \$15 per acre for leases that were signed between Jan. 1, 2007 and Aug. 1, 2014, when drilling is expected to be approved. Prorated rebates will go back to the gas companies if money is left over at the conclusion of the study. Revenue from the fee is estimated at \$3.2 million through fiscal year 2014.

Counties flock to Marcellus Shale drilling impact fee

WILKES-BARRE CITIZENS VOICE HARRISBURG - With a month left to act, a growing number of counties are opting to levy a Marcellus Shale drilling impact fee. Tioga County in the northern tier and Washington and Lawrence counties in southwestern Pennsylvania have officially adopted impact fee ordinances

and filed the necessary paperwork with the state Public Utility Commission. In the Northeastern region, Carbon, Columbia and Sullivan counties have adopted ordinances while Luzerne, Monroe, Susquehanna, Wayne and Wyoming counties are moving to adopt ordinances, according to a survey by the County Commissioners Association of Pennsylvania. Luzerne County Council plans to meet at 6 p.m. Wednesday at the Emergency Management Building, 185 Water St. in Wilkes-Barre, to discuss a proposed ordinance to establish a natural gas impact fee. Bradford County, one of the top gas producers, is holding a public convention with local officials Monday night to discuss implementing a fee. Lycoming, Butler, Forest, Westmoreland and Perry counties have filed notices of intent with the PUC to levy a fee. All told, 45 of Pennsylvania's 67 counties are taking some action to adopt ordinances, according to the CCAP survey. Giving counties with active Marcellus wells an option of levying an annual fee on drilling in their midst is the central feature of the state impact fee law last month.

House Republican blasts EPA regs that will shutter PA power plant

THE HILL (DC) Rep. Tim Murphy (R-Pa.) on Tuesday morning criticized Environmental Protection Agency (EPA) regulations that he said will cause a coal power plant in his district to close its doors this summer. "We should be cleaning up, not shutting down these power plants," Murphy said on the House floor. "But new regulations aimed squarely at coal, oil and natural gas are making it harder for families to get by, for manufacturers to prosper, and making it more difficult for our country to become energy independent." The coal-fired power plant in Elrama, Pa., is slated to close in June, while the four other Pennsylvania coal-fired power plants owned by GenOn Energy Inc. will close by 2015. GenOn said last month that it would have to close these older plants because EPA air-quality regulations would make it unprofitable to operate the plants. "GenOn expects to deactivate 3,140 MWs of generating capacity in PJM [Pennsylvania New Jersey Maryland] between June 2012 and May 2015 because forecasted returns on investments necessary to comply with environmental regulations are insufficient," the company said. Three more power plants in Ohio and New Jersey will also close.

'Ghost' wild areas haunt Chesapeake Bay region

RICMOND TIMES-DISPATCH GLOUCESTER POINT -- Scientists Scott Hardaway and Bryan Watts slid off a boat, waded through calf-deep water and climbed into a beautiful Chesapeake Bay landscape that is disappearing. The site was a wild, island-like mound called a hummock, one of thousands in the bay region. A hummock resembles a small forest on a low hill surrounded by marsh. Hummocks can vary in size from roughly the area of a basketball court to several football fields. This spot, in the tidal York River in Gloucester County, was both scenic and sad. Numerous trees were dead, their trunks a spectral white, and others were dying. Scientists say rising sea levels linked in part to global warming are drowning the trees and turning these fascinating lands into "ghost hummocks."

Air quality improves around coke works, county says

PITTSBURGH POST-GAZETTE The area surrounding U.S. Steel's Clairton Coke Works meets the Allegheny County air-quality standard for fine particulate matter for the first time, the county announced today. Compliance with that regulation is three years ahead of an August 2015 deadline mandated by law. Fine particulate matter dipped in 2011 below 15 micrograms per cubic meter at monitoring stations in Clairton and Liberty. Also recording fine particulate matter below that level were monitoring stations in Avalon, Harrison, Lawrenceville, North Braddock, North Park and South Fayette. The Liberty monitoring station, however, is the only monitoring station not in compliance with a second standard of 35 micrograms of fine particulate matter emissions every 24 hours. It recorded emissions of 38 micrograms every 24 hours. A deadline for compliance with that standard looms in 2014. The coke works continues to repair its ovens and U.S. Steel plans to build quench towers at the site to further lower emissions.

First-of-its-kind recycling facility receives operating permit

DOVER POST Delaware's Department of Natural Resources and Environmental Control has issued a solid

waste resource recovery permit for the first private materials recovery facility (MRF) in Delaware. The MRF operated by Blue River Resources LLC will sort and separate recyclables, then market the materials to commodity buyers or recycling processors. Blue River Resources, located on a former brownfields site, is the newest of several recycling entities in an area of south Wilmington and across the state that have parlayed Delaware's universal recycling law, which went into effect last year, into a business opportunity.

*** MORNING HOT LIST ***

Blog; Why Is EPA Treating Dimock Differently than Pavillion, WY or Hood, TX?

NATIONAL RESOURCE DEFENSE COUNCIL (NRDC) Last Thursday, the Environmental Protection Agency's Region 3 office issued an odd, informal announcement stating that preliminary water testing results for eleven of the sixty-one Dimock, PA homes tested by Region 3 showed non-hazardous levels of contaminants in Dimock drinking water. At the same time, the agency indicated that it would continue to provide water to three families while it conducts additional testing. The statement comes two months after EPA Region 3 made a decision to issue emergency water to four families on the basis of previous testing done by the Pennsylvania Department of Environmental Protection and Cabot Oil and Gas Corporation, and to conduct its own independent testing. Here are a few things about the announcement that seem strange: Why no results? – In stark contrast to EPA's study of drinking water contamination in Pavilion, WY, EPA Region 3 declared Dimock water to be safe without making public the actual data to support its conclusions. This doesn't jibe with EPA's approach in Pavillion, which has been characterized by months of careful study, full and complete review of the data, and formal press releases backed by publicly-available scientific reports. EPA should immediately make the full lab results available to the public.

Government report finds DC misled EPA about testing for lead in drinking water

ASSOCIATED PRESS WASHINGTON — A report by the District of Columbia's inspector general says the city's water agency "intentionally misled" the Environmental Protection Agency about the way it tested for lead in its drinking water between 2001 and 2003. The district had elevated lead levels in its water during the early 2000s, a spike that was blamed on a new chemical used during the treatment process. Lead levels went back down after the city added another chemical to control corrosion. The inspector general's report says the D.C. Water and Sewer Authority stopped testing for lead in parts of the district that were known to have high levels in order to meet EPA goals. It also says the agency misled the EPA about its testing methodology. The Washington Examiner was first to report the findings.

New figures on shale gas optimistic

PITTSBURGH TRIBUNE REVIEW STATE COLLEGE -- The Marcellus shale's bounty of natural gas is likely close to some of the most optimistic early projections, according to the private sector and university researchers who have been butting heads with federal analysts over the size. The mile-deep rock layer probably has about 500 trillion cubic feet of commercially recoverable gas, say new, separate reports from consultant groups ICF International and IHS Inc., reports that were the subject of a research conference on Monday at Penn State University. The amount of gas in the Marcellus has been in dispute for several years, and accurate data are crucial for long-term policy decisions being made in Harrisburg and Washington, experts said. "When you see conflicting or at least apparently conflicting information out there, it has implications," said Patrick Henderson, Gov. Tom Corbett's top energy adviser. "It can send a signal for people who want to do business in Pennsylvania that maybe

it's not as promising as what was thought." Henderson said he is concerned about recent federal calculations that have been much lower. Analysts at the Department of Energy in January cut their reserve estimates by more than half -- down to 141 trillion cubic feet -- which could hurt Pennsylvania, said Henderson, one of four state officials who attended the conference. Confusion has surrounded the numbers and other estimates from the federal government since the U.S. Geological Survey in August estimated only 84 trillion cubic feet of gas resources. Federal energy analysts did not accept an invitation to the conference, frustrating participants. Industry critics have accused drilling companies and their allies in the research community of trumping up projections to inflate stock prices and for personal gain. Federal geologists explained their methodology by phone, saying they were only assessing resources yet to be discovered and not anything currently being tapped. Scientist and project chief Christopher Schenk declined to explain other major differences between estimates from the survey and the private sector, saying his team's assessment stood on its own.

DEP asks gas driller to help remedy Franklin Twp. methane spike

WILKES-BARRE CITIZENS VOICE The Department of Environmental Protection has asked a natural gas drilling company to step in and help three Franklin Twp. families whose well water contains high levels of methane. State environmental regulators have not determined the source of the gas and are not saying WPX Energy is responsible for the methane, DEP spokeswoman Colleen Connolly said. But in a letter to the driller Friday, regulators asked that WPX help address the problem. "They can offer to put in (methane) mitigation systems. They can offer to buy bottled water. We did ask them to vent at least one well," Ms. Connolly said. "We're looking at a situation where some temporary fixes need to be put in, and we're putting the ball in WPX's court." The department began investigating elevated methane in the water wells in December when residents along Route 29 in the hamlet of Franklin Forks noticed discolored water and intermittent eruptions of gas and water from their well. WPX has been cited by the DEP for flaws in the steel and cement barriers in two of its Marcellus Shale wells closest to Franklin Forks, but the company has said those well casings were properly installed and cemented. WPX spokeswoman Susan Oliver said that the company received the message from DEP late Friday and reached out to the department Monday to set up a meeting this week. "WPX Energy has been a good neighbor to the Endless Mountain area," she said, adding that the company has spent more than \$2 million on road repair, charitable giving and flood relief in the last year.

Congressional hearing focuses on Phila.-area oil refineries

PHILADELPHIA INQUIRER Devon Crawford was happy to run into some of his old coworkers Monday, but he wished they were meeting a few miles away along the Delaware River, amid the grit and refinery flares. "It's unfortunate that we have to see each other like we're seeing each other," he told them. The occasion was a congressional hearing in Aston Township, Delaware County, on the closing of oil refineries in nearby Trainer and Marcus Hook and an impending shutdown in South Philadelphia. Crawford, the father of boys 10 and 14 who worked as a pump operator at ConocoPhillips in Trainer, is among the hundreds who have lost their jobs. He likened Monday's impromptu reunion at a sleek auditorium at Neumann University to a wake where one meets up with old friends. U.S. Rep. Patrick Meehan (R., Pa.) convened the hearing to address national-security issues related to the closings and the nation's oil supplies. A Department of Homeland Security official assured that the government was busily assessing the threats. "Economic security, energy security, and national security are all intertwined," said U.S. Rep. Michael Fitzpatrick (R., Pa.), who joined Meehan and U.S. Rep. John Carney (D., Del.) in questioning witnesses. "The decline of domestic regional refining in our nation is alarming and, in my view, will affect our national and homeland security," said Meehan, chairman of the Homeland Security subcommittee on counterterrorism and intelligence. The factors that led to the loss of Crawford's job and those of his former coworkers were at the center of dispassionate testimony by government and industry experts. The comments focused on economic realities, and the paradox of rising gasoline prices at a time of robust supply and decreasing domestic demand. People have been driving less, cars are more fuel-efficient, and gasoline contains ethanol. "There's a lot of things that go on in the global marketplace that we can't control," said Charles T. Drevna, president of the American Fuel and Petrochemical Manufacturers.

Farm pollution lawsuit spurs public relations battle

BALTIMORE SUN With a catch in her throat, Kristin Hudson talks in a video posted online about her young daughter asking if "they" will take away her daddy's farm. The video, featured on SaveFarmFamilies.org rallied farmers and others across the country to the side of an Eastern Shore farm couple fighting an environmental group's lawsuit alleging that the farm polluted a Chesapeake Bay tributary. The Web-based organization has raised more than \$200,000 to date from Perdue Farms, agricultural groups and other farmers to help Alan and Kristin Hudson pay legal bills in the 2-year-old case, according to one of the group's leaders. Meanwhile, two Maryland foundations with environmental agendas have poured a comparable amount into supporting the suit filed by the Waterkeepers Alliance. What began as a grass-roots effort by some Shore farmers to help one of their own has morphed over the past year into a sophisticated fundraising and public-relations campaign that portrays the lawsuit as a David-vs.-Goliath struggle between a fourth-generation farm family and a well-heeled New York environmental group bent on crushing what it calls "factory farming." "The idea was to make sure [the lawsuit] didn't bankrupt the farm before they could defend themselves," said Lee W. Richardson, a chicken farmer from Willards and one of the group's leaders. "Everybody feels like it could have been them."

PENNSYLVANIA

PHILADELPHIA INQUIRER

From Early Bird Congressional hearing focuses on Phila.-area oil refineries Devon Crawford was happy to run into some of his old coworkers Monday, but he wished they were meeting a few miles away along the Delaware River, amid the grit and refinery flares. "It's unfortunate that we have to see each other like we're seeing each other," he told them. The occasion was a congressional hearing in Aston Township, Delaware County, on the closing of oil refineries in nearby Trainer and Marcus Hook and an impending shutdown in South Philadelphia. Crawford, the father of boys 10 and 14 who worked as a pump operator at ConocoPhillips in Trainer, is among the hundreds who have lost their jobs. He likened Monday's impromptu reunion at a sleek auditorium at Neumann University to a wake where one meets up with old friends. U.S. Rep. Patrick Meehan (R., Pa.) convened the hearing to address national-security issues related to the closings and the nation's oil supplies. A Department of Homeland Security official assured that the government was busily assessing the threats. "Economic security, energy security, and national security are all intertwined," said U.S. Rep. Michael Fitzpatrick (R., Pa.), who joined Meehan and U.S. Rep. John Carney (D., Del.) in questioning witnesses. "The decline of domestic regional refining in our nation is alarming and, in my view, will affect our national and homeland security," said Meehan, chairman of the Homeland Security subcommittee on counterterrorism and intelligence. The factors that led to the loss of Crawford's job and those of his former coworkers were at the center of dispassionate testimony by government and industry experts. The comments focused on economic realities, and the paradox of rising gasoline prices at a time of robust supply and decreasing domestic demand. People have been driving less, cars are more fuel-efficient, and gasoline contains ethanol. "There's a lot of things that go on in the global marketplace that we can't control," said Charles T. Drevna, president of the American Fuel and Petrochemical Manufacturers.

From Early Bird Neighbors band together for home efficiency Jean P. Barr spent a bundle on insulation and other energy-efficiency improvements for her home - just in time for one of the warmest winters on record, which means she was denied the opportunity to gloat over just how much the work would save on her energy bills. But if the warm spring heralds an early start to a long, hot air-conditioning season, she may yet get that chance. Either way, she is convinced that an energy audit on her home and the resulting work recommended by the auditor - the result of an innovative regional program funded by \$25 million in federal funds - is worth plenty. The breaking point had come during the cold winter months when she got an electric bill for \$400. "I hit the roof," said the Queen

Village retiree. "I had never had bills like that." It was inexplicable. "I don't keep the place hot. I put on another sweater." Fortunately for Barr, a neighborhood group had been working on a solution. Neighbors were queuing up for an energy-efficiency program, EnergyWorks, that had just started in the region and is available to everyone.

PITTSBURGH POST-GAZETTE

From Early Bird Locked and Dammed: Neglect erodes river commerce There is a price to be paid for neglecting the nation's aging system of locks and dams, an economic engine in desperate need of a tune-up. On the Monongahela River, the price tag could be as high as \$1 billion annually if the breakdown of a lock or dam puts the river off limits to barges delivering coal to power plants, according to a study performed last year for the U.S. Army Corps of Engineers. About 500 miles down the Ohio River from Pittsburgh, 18 months of delays caused by repairs needed at three troubled locks is expected to cost one utility alone \$16 million, according to a company spokesman. For farmers in the Midwest, a three-month lock failure would add \$71.6 million to the cost of moving grain to markets, according to a Texas Transportation Institute study issued in January. The impact that the failure of a dam like the 105-year-old one on the Monongahela at Elizabeth could have on water supplies is worrisome enough it has drawn the attention of the U.S. Department of Homeland Security. "It is not a far-fetched scenario. It can happen," said Joe Dinkel, executive director of operations for West View Water Authority, which serves more than 200,000 residents in the North Hills and Ohio River communities. The authority's Neville Island plant gets its water from a pool created by a Corps dam at Emsworth.

From Early Bird Nuclear Regulatory Commission to air report on Shippingport plant FirstEnergy Co.'s Beaver Valley nuclear reactors in Shippingport, Beaver County, operated safely in 2011, according to an annual assessment report by the U.S. Nuclear Regulatory Commission. According to the assessment report, released Monday, performance indicators for Beaver Valley Units 1 and 2 were all "green," indicating very low safety significance. The NRC rates higher levels of safety concerns with a color code that progresses from "white" to "yellow" to "red." The NRC also announced that it will hold an informational public open house to discuss the report's findings from 5:30 to 7 p.m. Thursday at the Shippingport Community and Municipal Center, 164 State Rd 3016. "There were no significant safety issues at Beaver Valley in 2011," said Neil Sheehan, a NRC spokesman. "As a result, our level of inspection at the plant this year should be comparable to that of last year. There will not be a reduction in the number of inspection hours." In 2011, NRC inspectors spent 5,600 hours reviewing and inspecting operations at the nuclear power plant located 22 miles northwest of Pittsburgh. Some of the NRC inspection time last year was spent reviewing safety concerns raised by the March 2011 tsunami that severely damaged the Fukushima Daiichi nuclear power facility in Japan. "Those reviews indicated the plants remained safe for continued operation," said NRC Region I Administrator Bill Dean.

From Early Bird Saving jobs key issue at Homer City plant hearing HOMER CITY, Pa. -- In the shadow of the nation's second-tallest smokestack, it was the promise of jobs -- not environmental health benefits -- that pulled more than 500 people into a state Department of Environmental Protection hearing to support a proposed \$725 million pollution abatement project at the coal-fired Homer City power plant. The mostly blue-collar crowd packing the Homer-Center High School auditorium Wednesday bristled with testosterone and teamsters, boilermakers and coal miners, steelworkers and electricians, all of them enthusiastic in urging quick approval of a permit application by Edison Mission Energy, the plant's operator, to install emissions controls at the 43-year-old power plant 50 miles east of Pittsburgh.

Air quality improves around coke works, county says The area surrounding U.S. Steel's Clairton Coke Works meets the Allegheny County air-quality standard for fine particulate matter for the first time, the county announced today. Compliance with that regulation is three years ahead of an August 2015 deadline mandated by law. Fine particulate matter dipped in 2011 below 15 micrograms per cubic meter at monitoring stations in Clairton and Liberty. Also recording fine particulate matter below that level were monitoring stations in Avalon, Harrison, Lawrenceville, North Braddock, North Park and South Fayette. The Liberty monitoring station, however, is the only monitoring station not in compliance with a second standard of 35 micrograms of fine particulate matter emissions every 24

hours. It recorded emissions of 38 micrograms every 24 hours. A deadline for compliance with that standard looms in 2014. The coke works continues to repair its ovens and U.S. Steel plans to build quench towers at the site to further lower emissions.

PITTSBURGH TRIBUNE REVIEW

From Early Bird New figures on shale gas optimistic STATE COLLEGE -- The Marcellus shale's bounty of natural gas is likely close to some of the most optimistic early projections, according to the private sector and university researchers who have been butting heads with federal analysts over the size. The mile-deep rock layer probably has about 500 trillion cubic feet of commercially recoverable gas, say new, separate reports from consultant groups ICF International and IHS Inc., reports that were the subject of a research conference on Monday at Penn State University. The amount of gas in the Marcellus has been in dispute for several years, and accurate data are crucial for long-term policy decisions being made in Harrisburg and Washington, experts said. "When you see conflicting or at least apparently conflicting information out there, it has implications," said Patrick Henderson, Gov. Tom Corbett's top energy adviser. "It can send a signal for people who want to do business in Pennsylvania that maybe it's not as promising as what was thought." Henderson said he is concerned about recent federal calculations that have been much lower. Analysts at the Department of Energy in January cut their reserve estimates by more than half -- down to 141 trillion cubic feet -- which could hurt Pennsylvania, said Henderson, one of four state officials who attended the conference. Confusion has surrounded the numbers and other estimates from the federal government since the U.S. Geological Survey in August estimated only 84 trillion cubic feet of gas resources. Federal energy analysts did not accept an invitation to the conference, frustrating participants. Industry critics have accused drilling companies and their allies in the research community of trumping up projections to inflate stock prices and for personal gain. Federal geologists explained their methodology by phone, saying they were only assessing resources yet to be discovered and not anything currently being tapped. Scientist and project chief Christopher Schenk declined to explain other major differences between estimates from the survey and the private sector, saying his team's assessment stood on its own.

From Early Bird Marcellus pumps up steelmaker About 20 percent of the steel sheet that rolls out of the hot strip mill in U.S. Steel Corp.'s Irvin Plant nowadays is made into pipe used to transport natural gas. That compares to about 5 percent five years ago, Scott Buckiso, general manager of the company's Mon Valley Works, said on Monday. Buckiso spoke to Lt. Gov. Jim Cawley, business leaders and union officials who toured the West Mifflin plant, and about 75 workers concerning the Marcellus shale industry's potential to strengthen Western Pennsylvania industry and add jobs. Hot-rolled steel destined to become pipe for natural gas gathering lines is taken from the plant to the company's tubular plant in McKeesport. Both plants run 24/7, and the McKeesport plant has doubled its work force in the last year to 200 employees -- mainly due to the expanding gas industry, said Doug Matthews, senior vice president, tubular. Dura-Bond Industries Inc. of Export coats the seamless pipe made in McKeesport and is building a \$12 million coating mill on the site of U.S. Steel's old Duquesne Works. "It used to be, throughout the years, that pipe that was produced in this area wasn't consumed in this area," but typically was shipped to Texas, the Southwest or Southeast, said Dura-Bond CEO Wayne Norris, whose grandfather founded the business in 1960.

Officials: Liberty/Clairton meets clean air standards for first time, officials say The Liberty and Clairton areas have met federal clean air standards, meaning air quality in Allegheny County is the best it has been since the industrial revolution began, officials said today. County Executive Rich Fitzgerald said the annual air quality standard for fine particulate matter in the Liberty/Clairton area has come into compliance more than three years ahead of the required attainment date of August 2015. "This is great progress and a significant milestone for Allegheny County's air quality," said Fitzgerald. "We must remain vigilant and continue working to improve air quality throughout the county." Air quality improved at every monitoring site in 2011, with fine particulate levels well below the annual standard of 15 micrograms per cubic meter — Liberty (14.0), Avalon (13.1), North Braddock (12.3), Harrison (11.6), Lawrenceville (11.1), Clairton (10.7), South Fayette (10.6) and North Park (9.0). "With the Liberty/Clairton

WILKES-BARRE CITIZENS VOICE

From Early Bird DEP asks gas driller to help remedy Franklin Twp. methane spike The Department of

Environmental Protection has asked a natural gas drilling company to step in and help three Franklin Twp. families whose well water contains high levels of methane. State environmental regulators have not determined the source of the gas and are not saying WPX Energy is responsible for the methane, DEP spokeswoman Colleen Connolly said. But in a letter to the driller Friday, regulators asked that WPX help address the problem. "They can offer to put in (methane) mitigation systems. They can offer to buy bottled water. We did ask them to vent at least one well," Ms. Connolly said. "We're looking at a situation where some temporary fixes need to be put in, and we're putting the ball in WPX's court." The department began investigating elevated methane in the water wells in December when residents along Route 29 in the hamlet of Franklin Forks noticed discolored water and intermittent eruptions of gas and water from their well. WPX has been cited by the DEP for flaws in the steel and cement barriers in two of its Marcellus Shale wells closest to Franklin Forks, but the company has said those well casings were properly installed and cemented. WPX spokeswoman Susan Oliver said that the company received the message from DEP late Friday and reached out to the department Monday to set up a meeting this week. "WPX Energy has been a good neighbor to the Endless Mountain area," she said, adding that the company has spent more than \$2 million on road repair, charitable giving and flood relief in the last year.

Counties flock to Marcellus Shale drilling impact fee HARRISBURG - With a month left to act, a growing number of counties are opting to levy a Marcellus Shale drilling impact fee. Tioga County in the northern tier and Washington and Lawrence counties in southwestern Pennsylvania have officially adopted impact fee ordinances and filed the necessary paperwork with the state Public Utility Commission. In the Northeastern region, Carbon, Columbia and Sullivan counties have adopted ordinances while Luzerne, Monroe, Susquehanna, Wayne and Wyoming counties are moving to adopt ordinances, according to a survey by the County Commissioners Association of Pennsylvania. Luzerne County Council plans to meet at 6 p.m. Wednesday at the Emergency Management Building, 185 Water St. in Wilkes-Barre, to discuss a proposed ordinance to establish a natural gas impact fee. Bradford County, one of the top gas producers, is holding a public convention with local officials Monday night to discuss implementing a fee. Lycoming, Butler, Forest, Westmoreland and Perry counties have filed notices of intent with the PUC to levy a fee. All told, 45 of Pennsylvania's 67 counties are taking some action to adopt ordinances, according to the CCAP survey. Giving counties with active Marcellus wells an option of levying an annual fee on drilling in their midst is the central feature of the state impact fee law last month.

STATE COLLEGE CENTRE DAILY TIMES

From Early Bird County may get less from fee A possible change in the way Marcellus Shale wells will be counted in a statewide impact fee could mean less money for Centre County than anticipated. Board of Commissioners Chairman Steve Dershem said Friday that there may be a modification in the number of wells that would qualify in the county and around the state. "There has been a lot of jostling around with the actual number of wells that qualify," he said. "There is a discrepancy between what the state considers and what the county considers." Dershem said the difference could be about \$70,000. The county believed it would receive about \$570,000 for wells drilled between 2005 and 2011. The new number could be closer to \$500,000. "What we are waiting for is the state to make a final determination," Dershem said. "I don't know where we are going to stand at the end of the conversation. The final number is yet to be determined." Meanwhile, Centre County residents will have their chance to speak out about the proposed impact fee during a public hearing at 9:30 a.m. Tuesday, before the commissioners' regular meeting. The fee legislation, which was signed into law last month, gives counties the power to decide whether or not they want to impose the fee. Before county officials can do that, however, they must seek public input. After the hearing, the commissioners will be free to vote on the matter. All three have suggested they will vote in favor of implementing the fee.

TOWANDA DAILY REVIEW

From Early Bird Pa. counties flock to impact fee HARRISBURG - With a month left to act, a growing number of counties are opting to levy a Marcellus Shale drilling impact fee. Tioga County in the northern tier and Washington and Lawrence counties in southwest Pennsylvania have officially adopted impact fee ordinances and filed the necessary paperwork with the state Public Utility Commission. In the Northeast region, Carbon, Columbia

and Sullivan counties have adopted ordinances while Luzerne, Monroe, Susquehanna, Wayne and Wyoming counties are moving to adopt ordinances, according to a survey by the County Commissioners Association of Pennsylvania. Bradford County, one of the top gas producers, held a public convention with local officials Monday night to discuss implementing a fee. Lycoming, Butler, Forest, Westmoreland and Perry counties have filed notices of intent with the PUC to levy a fee. All told, 45 of Pennsylvania's 67 counties are taking some action to adopt ordinances, according to the CCAP survey. Giving counties with active Marcellus wells an option of levying an annual fee on drilling in their midst is the central feature of the state impact fee law last month. County participation is key to ensuring that legislative estimates of roughly \$200 million in first-year impact fee revenues bear out. Impact fee revenue will be distributed 60 percent to host counties and their municipalities and 40 percent for statewide initiatives as well as a number of earmarks. Counties have until April 16 to adopt the necessary ordinance in order to get revenue from gas production this year and retroactively for 2011. After that, if eligible counties that don't opt in, municipal officials get a chance to weigh in through an override provision. Half of the municipalities in a county, meeting either a 50 percent numerical or 50 percent population threshold, can vote up to June 13 to authorize a countywide impact fee to get revenue this year. Impact fee action isn't complete until the county ordinance is filed with the PUC's case docket system, said agency spokeswoman Jennifer Kocher on Monday.

BEAVER COUNTY TIMES

From Early Bird Ellwood to lease property for Marcellus Shale drilling ELLWOOD CITY -- The list of Marcellus shale drilling leasees has a new name -- Ellwood City. Council has approved a lease with Shell Western for underground drilling for natural gas beneath 131.64 acres of borough-owned property. Terms of the lease call for Ellwood City to receive \$3,250 per acre, or a total of \$427,830. Borough officials didn't say what they would do with the money, but most of the property -- about 90 acres along Connoquenessing Creek -- was bought in part with a recreational grant from the state Department of Conservation and Natural Resources. Because of that, money generated by that portion of the lease, nearly \$300,000, has to be earmarked for recreational development, borough solicitor Ed Leymarie said. The lease is a result of drilling for natural gas trapped in the Marcellus and Utica underground shale layers. Officials for drilling companies such as Shell believe that the rock layers, which run from New York state through western Pennsylvania, West Virginia, Ohio and Kentucky, contain a supply of natural gas that will last for decades.

From Early Bird Drilling begins in Industry, Independence The Marcellus shale natural gas boom is drilling into the dirt in Industry and Independence Township for the first time, and another well is being considered for a site a half-mile from Western Beaver High School. Range Resources began work March 13 at a drilling site, labeled the Berovich site, on Engle Road, Industry, near Oak Grove Cemetery, according to state Department of Environmental Protection records. It is the first well site initiated in the borough. Chesapeake Appalachia began work March 15 at a site labeled the McMichael unit off Hookstown Road near state game lands in Independence, according to DEP. It is the first well site initiated in the township. Industry Council plans a public hearing at 6:30 p.m. Wednesday to consider Chesapeake's application for a conditional use permit for property owned by Patrick Cody at 287 Engle Road, which is on the same side of the school building as the main entrance. The Western Beaver school district has a lease agreement with Chesapeake, according to county Recorder of Deeds online records.

YORK DAILY RECORD

From Early Bird York lawmaker and auditor general candidate calls for review of Pa. DEP program State Rep. Eugene DePasquale, D-West Manchester Township, said that, if he's elected as Pennsylvania's auditor general, he will conduct performance reviews of Department of Environmental Protection programs to see how effective they are at handling risks related to Marcellus Shale drilling. "We need to make sure that our drinking water is not being negatively impacted," DePasquale said Monday evening. The comments came during a live call-in program on the Pennsylvania Cable Network (PCN) with host Francine Schertzer. DePasquale, who's running unopposed in the Democratic primary, said he also wants to review job training programs and the Pennsylvania Department of

Transportation. But he doesn't believe the auditor general should audit the legislature. He said it "it would be great politics" to do so, but he added that the legislative branch already has an auditor. "I believe in separation of powers," DePasquale said, later adding, "I think the independence ... of the legislature is important." During the hour-long program, viewers could call in with questions or comments. "Do you think there's a problem with professional firms ... ripping off taxpayers?" asked one woman. DePasquale didn't give a definitive yes or no. "If you're going to do an audit, you have to go into it with an open mind," he replied. Another caller, who described himself as a Republican, complimented the current auditor general, Democrat Jack Wagner. "You've got big shoes to fill," the caller said. PCN plans to host the two Republican candidates for auditor general later this month: state Rep. John Maher, R-Allegheny County, will appear on the show March 26. His opponent, Frank Pinto of Dauphin County, will appear on March 28. The primary is April 24.

NORTHCENTRALPA.COM

Casey To EPA: As Gas Prices Spike, Consider Pittsburgh Summer Gasoline Waiver

U.S. Sen. Bob Casey (D-PA) Friday called on the U.S. Environmental Protection Agency to consider granting a temporary waiver for Pennsylvania for summer gasoline blend requirements, which would help alleviate supply constraints and combat skyrocketing prices at the pump. Today on the same issue, Department of Environmental Protection Secretary Michael Krancer sent a letter to EPA Region III Administrator Shawn M. Garvin saying DEP is "closely following the low RVP gasoline situation and we are in the process of evaluating alternative supply options for this summer in light of the three refinery closures in southeastern Pennsylvania." "In dealing with rising gas prices, the Pittsburgh region faces the additional challenge of a requirement to use a special kind of gasoline in the summer months," Sen. Casey said. "During this difficult economic time and because of potential supply shortages that could further increase prices, the EPA should consider a waiver that will give consumers in southwest Pennsylvania a break at the pump this summer."

THE HILL (DC)

House Republican blasts EPA regs that will shutter PA power plant Rep. Tim Murphy (R-Pa.) on Tuesday morning criticized Environmental Protection Agency (EPA) regulations that he said will cause a coal power plant in his district to close its doors this summer. "We should be cleaning up, not shutting down these power plants," Murphy said on the House floor. "But new regulations aimed squarely at coal, oil and natural gas are making it harder for families to get by, for manufacturers to prosper, and making it more difficult for our country to become energy independent." The coal-fired power plant in Elrama, Pa., is slated to close in June, while the four other Pennsylvania coal-fired power plants owned by GenOn Energy Inc. will close by 2015. GenOn said last month that it would have to close these older plants because EPA air-quality regulations would make it unprofitable to operate the plants. "GenOn expects to deactivate 3,140 MWs of generating capacity in PJM [Pennsylvania New Jersey Maryland] between June 2012 and May 2015 because forecasted returns on investments necessary to comply with environmental regulations are insufficient," the company said. Three more power plants in Ohio and New Jersey will also close.

THE DAILY PENNSYLVANIAN

Initiative testing local soil for lead draws over 200

Penn students got the dirt on Philadelphia's soil cleanliness this weekend. Volunteers from Penn attended a three-day Soil Kitchen, in which they tested the pH levels of soil samples, the presence of lead and other heavy metal contaminants and the nutrient levels in the soil. The "kitchen" was set up in John Heinz National Wildlife Refuge in Southwest Philadelphia. Visitors came in with soil samples from locations ranging from their backyard gardens to their local schools, and waited for a few minutes for their soil to be tested. Childhood lead poisoning, referred to by U.S. health officials as a "silent epidemic," is widely prevalent in Philadelphia, according to assistant professor in the Department of Earth and Environmental Science Jane Willenbring, who organized the event.

ASSOCIATED PRESS (Pa.)

Officials: Pittsburgh air quality improving

Allegheny County officials say local air quality is better than it's been for over 100 years. A release issued Tuesday says air quality improved at every monitoring site in the county in 2011, and is now in compliance with levels for fine particulate matter, which can cause asthma and other health problems. Jim Thompson, an Air Quality Program Manager, says the improvements are due to recent pollution controls put in at nearby and out-of-state industrial plants. Officials say work is continuing to reduce the pollution levels even more by 2014. State environmental officials are asking a natural gas driller to assist three northeastern Pennsylvania families whose water wells have become contaminated with methane gas. The Department of Environmental Protection says it hasn't determined if the source of the gas in the wells of three homes in Franklin Township, Susquehanna County is nearby natural gas drilling or simply a natural occurrence. But the DEP wants WPX Energy to help the families by installing mitigations systems or supplying bottled water. WPX tells The Times-Tribune of Scranton (<http://bit.ly/GAr5RK>) it will meet with environmental officials this week to discuss the request.

WASHINGTON, D.C.

WASHINGTON POST

From Early Bird Blog: Obama to highlight energy strategy during two-day tour

With rising gas prices squeezing consumers at the pump and the Republican presidential field blaming the White House, President Obama will head out on a two-day tour of various energy ventures this week to highlight his efforts to increase production and lower prices. The president will visit a solar production facility that powers 17,000 homes in Nevada, oil and gas drilling sites on federal land in New Mexico and a stretch of the Keystone Pipeline in Oklahoma, Press Secretary Jay Carney said Monday. Obama will also stop in Ohio to tour what the White House described as some of the most advanced energy-related research in the country. The trip will showcase the president's "all-of-the-above" energy strategy, Carney said. The trip comes as Obama faces intense criticism for his energy policies, which his Republican opponents say have done too little to promote domestic energy production and reduce dependence on foreign oil. "Americans, I think, by and large, even though they're frustrated, understand that politicians who tell them that if only they were in power, they could fix it with a simple proposal -- most Americans understand that that's baloney," Carney said during his daily briefing at the White House. "It's not plausible. It's laughable as policy. Drill, drill, drill will not get you anywhere because if it could, then the fact that we've increased oil and gas production in this country would have resulted in a decrease in prices at the pump, not an increase."

ASSOCIATED PRESS

From Early Bird Government report finds DC misled EPA about testing for lead in drinking water

WASHINGTON — A report by the District of Columbia's inspector general says the city's water agency "intentionally misled" the Environmental Protection Agency about the way it tested for lead in its drinking water between 2001 and 2003. The district had elevated lead levels in its water during the early 2000s, a spike that was blamed on a new chemical used during the treatment process. Lead levels went back down after the city added another chemical to control corrosion. The inspector general's report says the D.C. Water and Sewer Authority stopped testing for lead in parts of the district that were known to have high levels in order to meet EPA goals. It also says the agency misled the EPA about its testing methodology. The Washington Examiner was first to report the findings.

WASHINGTON TIMES

From Early Bird Natural gas industry high on future, despite current low prices PITTSBURGH — Despite

looming federal regulations and rock-bottom market prices, leaders in the natural gas business are confident the shale boom that's helped revitalize economies from Pennsylvania to Wyoming is only just getting started. Companies from across the sector, from multibillion-dollar outfits such as Chesapeake Energy to small-town hardware stores, have gathered in Pittsburgh this week for the annual Marcellus Midstream Conference, one of the largest industry meetings in the nation. It comes at a time of uncertainty for oil and gas producers, who fear

unprecedented regulatory crackdowns from the Obama administration and have seen their profit margins shrink as natural gas prices have sunk to near-record low.

WASHINGTON EXAMINER

DC covered up bad water quality tests, report says The District agency responsible for providing clean drinking water throughout the city rigged its monitoring of lead in water by not conducting tests in parts of Washington known for having higher lead levels, the D.C. inspector general has found. For a 26-month span beginning in July 2001, investigators said, the D.C. Water and Sewer Authority -- the predecessor of D.C. Water -- knew that lead levels were elevated in the city's water system. Although that agency notified the Environmental Protection Administration and began trying to remove excessive lead, DCWASA also tried to cover up the extent of the crisis. "DCWASA sought to minimize the problem by sampling water from residences that were unlikely to have elevated lead levels, avoiding additional testing in areas of the District known to have elevated water lead test results," the inspector general wrote.

DELAWARE

WILMINGTON NEWS JOURNAL

From Early Bird Rehoboth won't stop home being built on Silver Lake

DELAWARE CAPE GAZETTE

From Early Bird Prime Hook Wildlife Refuge seeks summer youth workers Prime Hook National Wildlife Refuge in Milton is looking for energetic individuals interested in participating in the National Youth Conservation Corps work program. The purpose of the YCC program is to further the development and maintenance of the natural resources of the United States by America's youth, and, in so doing, to prepare them for the ultimate responsibility of maintaining and managing these resources for the future. This year's YCC group will be involved in trail maintenance, landscaping, controlling invasive species, sign posting, filing, copying, answering phones and a variety of other projects that contribute to the mission of the U.S. Fish and Wildlife Service. The work is planned, directed and executed in such a way as to give the enrollees an understanding of their tasks and how to do them, their part in the overall management plan and how their work contributes to the enhancement of the refuge. The YCC program is an eight-week, nonresidential summer program lasting from mid-June through mid-August 2012.

DOVER POST

First-of-its-kind recycling facility receives operating permit

Delaware's Department of Natural Resources and Environmental Control has issued a solid waste resource recovery permit for the first private materials recovery facility (MRF) in Delaware. The MRF operated by Blue River Resources LLC will sort and separate recyclables, then market the materials to commodity buyers or recycling processors. Blue River Resources, located on a former brownfields site, is the newest of several recycling entities in an area of south Wilmington and across the state that have parlayed Delaware's universal recycling law, which went into effect last year, into a business opportunity. As a direct result of the State Universal Recycling Law (SB 234) championed by Governor Jack Markell and sponsored by Senator David McBride (D-Hawk's Nest) and Representative Mike Mulrooney (D-Pennwood), as well as years of outreach by the Recycling Public Advisory Council (RPAC) and DNREC, Delaware has created an environment which encourages private investment in the environmental businesses sector of the economy. Companies such as Blue River Resources are taking advantage of the greatly expanded quantities of recyclable materials that are now recoverable from Delawareans and businesses located within the state as a result of statewide curbside recycling pickup.

NEWSWORKS

Ride on Washington to promote bicycling makes a stop in Delaware A Ride on Washington to raise awareness about the economic, environmental and health benefits of bicycling makes a stop in Delaware. The Ride on Washington began in Boston and is making its way to the nation's capital for this week's National Bike Summit. Delaware Secretary of Transportation Shailen Bhatt is scheduled to speak at the summit this Wednesday. As cyclists arrived at The Bike Boutique in Wilmington Monday, Bhatt highlighted a cooperative venture between DelDOT and the Delaware Department of Natural Resources and Environmental Control to create an expanded network of trails and other bike transportation facilities throughout the state. "Our goal is to connect and to give contiguous paths so that people can ride to work, can ride to recreational activities. What we're looking at, especially in an era of \$4.00-a-gallon gasoline is, people are looking for options," Bhatt said.

WEST VIRGINIA

CHARLESTON GAZETTE

From Early Bird Commerce secretary optimistic about Institute cracker CHARLESTON, W.Va. -- West Virginia Commerce Secretary Keith Burdette said Monday that he was "very optimistic" about Aither Chemicals' plan to build a \$300 million ethane catalytic "cracker" plant at Institute. South Charleston-based Aither has already prepared a press release about the pending cracker plant announcement. The petrochemical facility would employ about 200 people at the Institute Industrial Park. "There's still work to be done, but the good news is they are making substantial progress," Burdette said after speaking with Aither CEO Len Dolhert Monday afternoon. "We're doing everything we can to be helpful."

From Early Bird Limited recycling could return to Slack Street CHARLESTON, W.Va. -- Kanawha County Solid Waste Director Norm Steenstra hopes to reopen Charleston's Slack Street recycling center for limited public use within 45 days. Steenstra will present a plan to the solid waste board Tuesday to put up a temporary covered sorting building at Slack Street while a new facility is built near Cross Lanes. He said Slack Street could start taking paper products again within 45 days. Members of the solid waste board voted earlier this month to close Slack Street because the 100-year-old building where workers were sorting and packing materials was no longer safe. Estimates to fix the crumbling structure were about \$1.5 million.

From Early Bird Huge boil-water advisory completely lifted for area residents CHARLESTON, W.Va. -- A boil-water advisory that affected thousands of West Virginia American Water customers during the weekend has been completely lifted, the company said Monday afternoon. As of Monday morning, the advisory had already been lifted for everyone but a few thousand customers, mostly in the St. Albans area and along U.S. 60 and W.Va. 34 in Putnam County. Those customers were told it was OK to drink and use their water without boiling it at about 2 p.m. Monday. The advisory was issued after a 12-inch valve at a major Kanawha River crossing in Nitro began leaking Thursday evening, according to West Virginia American Water spokeswoman Laura Jordan. Workers couldn't seal off water lines leading to the broken valve quickly enough, and water tanks throughout the area drained, affecting thousands of customers in Kanawha and Putnam counties, as well as the northern tip of Lincoln County.

From Early Bird Blog: Colo. study points to health impacts from gas drilling An important new study from the University of Colorado's School of Public Health raises questions about potential public health impacts of the natural gas drilling boom in West Virginia and across the country. Here's what the news release from the school says:

From Early Bird Blog: Why doesn't Sen. Rockefeller hold a committee hearing on technology to make coal

mines safer? There was an incredible moment during the flurry of congressional hearings that followed the Sago Mine Disaster in 2006. Mine safety advocates were pushing for legislation to require a variety of new mine rescue devices — everything from additional emergency oxygen, to wireless communications devices and explosion-proof underground shelters — but industry officials were insisting such things didn't really exist or wouldn't work. But then Sen. Tom Harkin, an Iowa Democrat and coal miners' son, held up one of those wireless communications devices ... Industry officials had to stop whispering that the things didn't exist. Now, they're required by law.

CHARLESTON DAILY MAIL

From Early Bird Editorial: Don't blame oil firms; blame governments As the price of gasoline approaches \$4 a gallon nationally — more than double the \$1.89 a gallon average on the day of his inauguration — President Obama has attacked oil companies. But his policies of limiting drilling and taxing oil ...

WEST VIRGINIA STATE PUBLIC BROADCASTING

From Early Bird Do natural gas production facilities create air-quality concerns? Since the on-set of the “natural gas age” in northern West Virginia, some residents have raised concerns about air pollution related to drilling for gas. Not all horizontal drilling sites are the same, but frequently once a site is drilled a production facility will be built to accommodate what the wells produce. Jerry Williams is an engineer in the Division of Air Quality at the WV Department of Environmental Protection. He says if a facility produces more than 5 tons of hazardous air pollutants each year, they must apply for an air quality permit. “Now that these are finished wells,” says Williams, “they’ve been drilled, so they are produced wells, hence the production facility. So you have the gas that’s coming up out of the ground. They go through the three-phase separation, and then you have hydrates in the gas so to keep them from freezing in the line they go through what are called heater-treaters and you may have more separation going on at that point in time.”

From Early Bird DEP launched horizontal drilling info web page (March 16) The Department of Environmental Protection's Office of Oil and Gas has launched a webpage that contains information specifically related to horizontal drilling as defined by the Horizontal Drilling Act that was passed by the state Legislature in December.

ASSOCIATED PRESS (W. Va.)

From Early Bird State keeps funds for efforts to curb black flies BECKLEY, W.Va. -- The state Department of Agriculture says that the annual effort to control black flies in three southern West Virginia rivers will continue this year. Agency spokesman Buddy Davidson tells The Register-Herald that legislators ensured t...

From Early Bird Mild W.Va. winter raises concern over mosquitoes PARKERSBURG, W.Va. -- Health officials in the Mid-Ohio Valley are concerned that a mild winter could spur a large jump in the mosquito population. If that happens, Chuck Mapes, with the Mid-Ohio Valley Regional Health Department, said the risk of a...

From Early Bird 2 conferences on *Marcellus* drilling set in W.Va. CHARLESTON — A pair of upcoming conferences will enable business and industry leaders to learn more about Marcellus shale natural gas drilling. The West Virginia Manufacturers Association will host a conference Wednesday and Thursday at the Charleston Civic Center. Among the scheduled speakers are Gov. Earl Ray Tomblin, Commerce Secretary Keith Burdette and West Virginia University athletic director Oliver Luck. Discussions will include the state's infrastructure, taxes, environmental concerns, capital investments, education, training initiatives and site-selection opportunities. Another Marcellus conference will be held April 1 through 3 at The Greenbrier resort. Officials from West Virginia and four other states will speak on what's being done to maximize economic opportunities from the shale industry. Legislative rules and environmental regulations also will be discussed.

From Early Bird State gets D+ in government corruption risk assessment CHARLESTON, W.Va. -- A new

report suggests West Virginia is at risk for government corruption. The state received a "D+" in the State Integrity Investigation released today, ranking it 27th among all states. The project assessed government accountability and efforts to deter corruption and self-dealing. It was conducted over several months by the nonpartisan Center for Public Integrity, Public Radio International and the nonprofit group Global Integrity. West Virginia scored well for internal auditing and ethics enforcement. It received passing grades for the accountability of all three government branches. It flunked for lobbying disclosure, civil service management and redistricting. Eight states failed the review, including neighboring Virginia. No state got an "A." Today's report follows recent praise from the U.S. Public Interest Research Group and the Sunshine Review for West Virginia's online transparency.

MARYLAND

BALTIMORE SUN

From Early Bird Farm pollution lawsuit spurs public relations battle With a catch in her throat, Kristin Hudson talks in a video posted online about her young daughter asking if "they" will take away her daddy's farm. The video, featured on SaveFarmFamilies.org rallied farmers and others across the country to the side of an Eastern Shore farm couple fighting an environmental group's lawsuit alleging that the farm polluted a Chesapeake Bay tributary. The Web-based organization has raised more than \$200,000 to date from Perdue Farms, agricultural groups and other farmers to help Alan and Kristin Hudson pay legal bills in the 2-year-old case, according to one of the group's leaders. Meanwhile, two Maryland foundations with environmental agendas have poured a comparable amount into supporting the suit filed by the Waterkeepers Alliance. What began as a grass-roots effort by some Shore farmers to help one of their own has morphed over the past year into a sophisticated fundraising and public-relations campaign that portrays the lawsuit as a David-vs.-Goliath struggle between a fourth-generation farm family and a well-heeled New York environmental group bent on crushing what it calls "factory farming." "The idea was to make sure [the lawsuit] didn't bankrupt the farm before they could defend themselves," said Lee W. Richardson, a chicken farmer from Willards and one of the group's leaders. "Everybody feels like it could have been them."

SALISBURY DAILY TIMES

From Early Bird Editorial: Good and bad news on the Chesapeake Bay After decades of effort, redirection, study and planning, the good news is that Maryland is more than halfway to achieving its Chesapeake Bay restoration goals, according to the the Chesapeake Bay Foundation. But whenever good news is cited, there's often some bad news to balance it. In this case, it's that the state's current strategy is underfunded and this may prevent us from reaching the goal. In fact, it's not just more money that's needed, it's policy changes as well, the CBF declared. Maryland is one of six states in the Chesapeake Bay watershed that now answer to the U.S. Environmental Protection Agency for their restoration efforts and responsibilities. Although Maryland's budget this year is especially difficult, if individual contributions to the Bay Restoration Fund, commonly known as the "flush tax," is doubled as Gov. Martin O'Malley has proposed, additional funding should be available to help with the effort.

ASSOCIATED PRESS (Md.)

From Early Bird Harris Creek oyster restoration effort planned ST. MICHAELS, Md. (AP) — The Maryland Department of Natural Resources says state and federal officials are planning a major oyster restoration effort for Harris Creek on the Eastern Shore. DNR officials along with their counterparts from the National Oceanic and Atmospheric Administration and the U.S. Army Corps of Engineers plan to discuss the effort Wednesday at the Chesapeake Bay Maritime Museum in St. Michaels. Officials say the creek east of Tilghman Island near the Choptank River was chosen because of the high likelihood of success. The plan calls for expanding oyster bars and seeding the reefs with shells and oysters. Work is expected to begin this summer. DNR says the work is part of the federal bay restoration strategy that calls for restoring self-sustaining oyster populations in 10 Maryland tributaries

by 2025.

MARYLANDREPORTER.COM

Marcellus shale protective bills advance in House Maryland wants to set a gold standard for safety to drill for natural gas in western Maryland's Marcellus shale deposits, which could start as soon as as August 2014. The House moved two drilling-related bills closer to passage Monday night. One funds an impact study and the other provides legal recourse to Marylanders if health and property are adversely affected by drilling. "There is a presumption of liability," Del. Heather Mizeur D-Montgomery, the lead sponsor of the bills, said on Friday. "If there is contamination of the water supply, the presumption is that the driller caused it, and they have to prove they didn't, rather than the onus being on the community to prove the gas company is liable." Drilling companies must prove they are innocent if contamination occurs within in a certain time frame and within a certain distance from a drilling rig, Mizeur said. The second bill funds a study by the Marcellus Shale Advisory Commission paid for by a one-time fee of \$15 per acre for leases that were signed between Jan. 1, 2007 and Aug. 1, 2014, when drilling is expected to be approved. Prorated rebates will go back to the gas companies if money is left over at the conclusion of the study. Revenue from the fee is estimated at \$3.2 million through fiscal year 2014.

THE STAR DEMOCRAT

MDE secretary visits Colonel Richardson Middle FEDERALSBURG Maryland Department of the Environment Secretary Robert Summers visited Colonel Richardson Middle School on Friday to talk about the importance of groundwater. The day was part of Groundwater Awareness Week in Maryland, which was especially important this year, as the nation recognizes the 40th anniversary of the federal Clean Water Act, signed into law in 1972, Summers said. Students in sixth and eighth grades, selected for their interest in science, met with Summers to talk about how groundwater is created, how it can be contaminated and what citizens can do to protect it. Science teacher Rob Honer said one of his students' parents works for the Department of the Environment and helped coordinate Summers' visit. The school was a perfect fit because so many students' families are part of the two million Marylanders who use wells.

VIRGINIA

ROANOKE TIMES

From Early Bird DEQ fines Yokohama over lapse in permit Environmental enforcement officials have cited a Salem tire factory for seeking less stringent regulations at a time when it was actually increasing its emissions into the air. Yokohama Tire Corp. agreed to pay a fine of \$49,340 as part of an agreement reached recently with the Virginia Department of Environmental Quality. In 2006, at Yokohama's request, the state changed the status of the plant from a Title V major facility to a synthetic minor facility. As a result, the plant faced less regulation of the level of pollutants released from its smokestacks. Unknown to state regulators at the time, Yokohama had changed its production process in 2004, introducing a new rubber compound that increased its emissions of ethanol, according to a recent consent order. It was not until 2011, after Yokohama reported the change to the U.S. Environmental Protection Agency, that state officials learned of the higher emissions. The consent order cites Yokohama for failing to obtain a permit before making changes to the production process and not including a complete list of pollutants in a later permit application.

'Ghost' wild areas haunt Chesapeake Bay region GLOUCESTER POINT -- Scientists Scott Hardaway and Bryan Watts slid off a boat, waded through calf-deep water and climbed into a beautiful Chesapeake Bay landscape that is disappearing. The site was a wild, island-like mound called a hummock, one of thousands in the bay region. A hummock resembles a small forest on a low hill surrounded by marsh. Hummocks can vary in size from roughly

the area of a basketball court to several football fields. This spot, in the tidal York River in Gloucester County, was both scenic and sad. Numerous trees were dead, their trunks a spectral white, and others were dying. Scientists say rising sea levels linked in part to global warming are drowning the trees and turning these fascinating lands into "ghost hummocks."

NEWPORT NEWS DAILY PRESS

From Early Bird Virginia's blue crab season starts with a bang Virginia's blue crab season opened strong Monday as watermen returned to Chesapeake Bay docks with bushels full of the normally dormant crustacean. "This is unprecedented. We've never seen it this early," said Johnny Graham, president of Hampton-based Graham & Rollins Seafood, one of the state's largest crab processing plants. The state's commercial crab season begins every March, but the first few weeks are usually lean because most crabs have not stirred from their winter resting spots at the bay floor. This year is different because warm air temperatures — 3 to 7 degrees above normal since November — kept the bay and its tributaries from getting too cold.

LYNCHBURG NEWS AND ADVANCE

From Early Bird DEQ says time running out for Altavista to address PCB contamination Since 2000, the Town of Altavista has been trying to figure out how to remove the toxic contaminants stuck beneath a six-acre pond less than 300 feet from the Staunton River. Now, for the Department of Environmental Quality at least, it soon may be too late. Altavista has been under voluntary DEQ oversight for more than 10 years. In the most recent revision of its contract with the state, the town agreed to have the PCBs, or polychlorinated biphenyls, removed from the municipal wastewater pond by early 2014 at the latest. The PCBs, which have been present for decades thanks to now-defunct manufacturing industries, don't put residents at great risk for exposure, but are well above federally acceptable levels. Because of the public health concern over the toxins and the difficulties in removal, the DEQ has a voluntary remediation program designed to help guide localities through the process. Altavista is one of about 150 sites statewide currently in the program, which helps the town establish goals and deadlines for the remediation. Altavista and the state have pushed back the deadline for removal several times. At least once Altavista was in danger of being terminated from the program, which can save sites millions of dollars in remediation costs, for failing to show progress. According to the DEQ, the level of toxins in the pond remains unchanged since 2002. "We really do need to see some marked progress," said Meade Anderson, brownfields program manager for the DEQ and the agency's liaison to Altavista.

Virginia's Attorney General talks to Lynchburg residents about utility rates The attorney general said his office is representing the public in cases regarding the rates utility companies charge. Cuccinelli stopped in Lynchburg on Monday to discuss Appalachian Power's increased rates, which took effect earlier this year. "The attorney general is your lawyer in these rate cases," he said, during a town hall meeting at the Lynchburg Public Library. About 60 people attended. Two factors are to blame for Appalachian's increased rates: environmental compliance costs and the company's need to buy power because it was not generating enough on its own, Cuccinelli said. Appalachian Power is the second largest energy provider in Virginia with 515,000 customers. It had one of the lowest rates in the state until recently. ... The cost of meeting standards set by the Environmental Protection Agency can be passed on from the utility to the customer, he said. Those standards need to be weighed against the cost to the consumer, Cuccinelli said. "If you kill your economy, you can't pay to keep the environment clean" he said.

DANVILLE REGISTER AND BEE

From Early Bird June's uranium workgroup meeting in Chatham A state work group that is studying uranium mining issues and developing a conceptual regulatory framework will take public comments at meetings, including at one in Chatham in June. Gov. Bob McDonnell's Chief of Staff Martin Kent and senior adviser on energy Maureen Matsen emphasized public opportunities for comment during a media teleconference Monday afternoon after media reports criticized the group's openness and transparency after its presentation to a legislative subcommittee on March 7.

From Early Bird Pittsylvania County Superfund site stable, monitored (Saturday) Most of the contamination at a former rock quarry and industrial waste site, a designated Environmental Protection Agency Superfund site, in Pittsylvania County has been cleaned up and the site will continue to be monitored. "In summary, the remedy at the site is in place and working," said Roy Seneca, EPA Region 3 spokesman. Yet, the EPA would now like to address zinc levels above background levels in a stream near the site. The former landfill along Lawless Creek Road in Blairs operated by First Piedmont Corp. of Chatham has been capped, fenced in and surrounded by monitoring wells. Water running through the site is pumped out and transported to a local water treatment facility. Long-term human health protection has been achieved, according to EPA reports. The site was listed as a Superfund site in 1987 after the EPA investigated industrial wastes from Goodyear Tire & Rubber Co. and Corning disposed of there from 1970 to 1972. Waste along the edge of the site was removed and most remained in the former quarry and was capped, said First Piedmont Chairman Ben Davenport.

RICHMOND PROGRESSIVE EXAMINER

Dominion receives approval for coal plant conversions to biomass

Finally some positive environmental and human health news coming out of Virginia and Dominion Virginia Power? The Virginia State Corporation Commission (SCC) recently gave the nod to Dominion Virginia Power's request to turn 3 of its coal-fired power plants into stations that burn biomass. The coal-fired facilities that Dominion plans on converting into biomass stations are in Altavista, Hopewell, and Southampton County. According to regulators at the SCC, the 3 biomass stations will generate close to 51 megawatts of electricity, primarily through the use of waste wood discarded from regional timber operations.

ASSOCIATED PRESS (Va.)

Va. uranium work group to meet June 18 in Chatham DANVILLE, Va. -- DANVILLE, Va. (AP) A work group appointed by Gov. Bob McDonnell to study uranium mining will hold its next meeting June 18 in Chatham. The governor's chief of staff, Martin Kent, and energy adviser Maureen Matsen announced the meeting Monday. The multi-agency group will be joined by a legislative subcommittee for a discussion of uranium mine permitting, disposal of mine wastes, site reclamation and environmental impact analysis and monitoring. Virginia Uranium Inc. wants the state to lift a 30-year ban on uranium mining so it can tap a 119-million-pound deposit of the radioactive ore in Pittsylvania County. The Danville Register and Bee reports (<http://bit.ly/FQlvdm>) that the work group will meet with the uranium mining subcommittee of the Virginia Coal and Energy Commission in August, October and November.

MISCELLANEOUS

BNA DAILY ENVIRONMENT REPORT

From Early Bird EPA Could Include Hexavalent Chromium in Water Monitoring Rule EPA plans to issue a final rule with a new list of unregulated chemicals that drinking water utilities are required to monitor and could include hexavalent chromium on the list, Cynthia Dougherty, director of EPA's Office of Ground Water and Drinking Water, tells the Association of Metropolitan Water Agencies' Water Policy Conference. Dougherty says the agency has received comments "overwhelmingly in favor" of regulating hexavalent chromium in the third round of the unregulated contaminant monitoring rule. The rule covers substances known or anticipated to be present in public drinking water systems that may require regulation in the future

From Early Bird EPA Proposed Rule Would Exclude Four Compounds From VOC Definition EPA proposes to exclude four chemical compounds from being regulated as volatile organic compounds that contribute to ozone formation. The four hydrofluoropolyethers make "a negligible contribution" to ozone formation, EPA says in the

proposed rule. Under the proposal, the four hydrofluoropolyethers would not be counted as VOCs in determining whether facilities have met their obligations for controlling VOCs to help attain national ambient air quality standards for ozone. In addition, states would not receive credit for controlling the four compounds in their ozone strategies.

From Early Bird EPA Sued Over Alleged Failure to Require Updated Nutrient Controls A coalition of environmental groups sues EPA for failing to respond to a 2007 petition to require better nutrient removal from publicly owned wastewater treatment plants. At issue in the lawsuit filed in U.S. District Court for the Southern District of New York is the efficiency of secondary treatment technology at removing nutrients from wastewater at treatment plants and EPA's failure to publish updated information on its effectiveness. The groups, led by the Natural Resources Defense Council, say EPA should require treatment plants to use this technology

NATURAL RESOURCES DEFENSE COUNCIL

From Early Bird Why Is EPA Treating Dimock Differently than Pavillion, WY or Hood, TX? Last Thursday, the Environmental Protection Agency's Region 3 office issued an odd, informal announcement stating that preliminary water testing results for eleven of the sixty-one Dimock, PA homes tested by Region 3 showed non-hazardous levels of contaminants in Dimock drinking water. At the same time, the agency indicated that it would continue to provide water to three families while it conducts additional testing. The statement comes two months after EPA Region 3 made a decision to issue emergency water to four families on the basis of previous testing done by the Pennsylvania Department of Environmental Protection and Cabot Oil and Gas Corporation, and to conduct its own independent testing. Here are a few things about the announcement that seem strange: Why no results? – In stark contrast to EPA's study of drinking water contamination in Pavilion, WY, EPA Region 3 declared Dimock water to be safe without making public the actual data to support its conclusions. This doesn't jibe with EPA's approach in Pavillion, which has been characterized by months of careful study, full and complete review of the data, and formal press releases backed by publicly-available scientific reports. EPA should immediately make the full lab results available to the public

REUTERS

From Early Bird Williams buying infrastructure in Marcellus shale Williams Cos Inc (WMB.N) struck a \$2.5 billion deal to buy a natural gas gathering and processing business in the Marcellus shale, increasing its exposure to the boom in liquids-rich natural gas. Soaring supplies of natural gas in the United States have pushed prices for the fuel to their lowest in a decade. In response, exploration and production companies have increased output of crude oil and natural gas that can be stripped of fuels like propane that fetch higher prices. Williams is buying the Caiman Eastern Midstream business, a unit of privately held Caiman Energy, through its master limited partnership, Williams Partners LP (WPZ.N). Williams owns 72 percent of Williams Partners, as well as the partnership's general partner.

POLITICO

Time to retire coal-fired plants Congress is due to hold hearings Tuesday on new Environmental Protection Agency standards that require coal- and oil-fired power plants to reduce their emissions of mercury, arsenic and heavy metals. The new standards, anticipated for more than a decade, will help prevent as many as 11,000 premature deaths, 4,700 heart attacks and 130,000 asthma attacks each year, according to the EPA, and will avoid more than 500,000 missed work days and 5,700 emergency room visits annually. Power companies have up to four years to meet them. Some coal plant owners, before the EPA's issuance of the final rule, have said they needed more time to comply in order to keep the lights on. Several power companies have said these new standards are forcing them to close coal-fired plants prematurely — because upgrading them would be too costly. But that's not the whole story.

STATEIMPACT

How Fracking in the Northeast Could Impact Farmland in Oklahoma The federal government issues mortgages and loan guarantees to low-income Americans living in rural areas. But the U.S. Department of Agriculture is considering requiring environmental studies before issuing money to those leasing their land for oil and natural gas production. Why is this happening? U.S. Rep. Dan Boren says it's because the USDA is bowing to political pressure exerted by opponents of hydraulic fracturing — particularly those in the Northeast, reports the *Tulsa World*. The USDA's Rural Housing Service generally doesn't require a down payment, and has been especially popular in the wake of tight credit markets, writes *New York Times* reporter Ian Urbina:

ELECTRIC POWER & LIGHT

EPA names PECO Energy Star Partner of the Year

Philadelphia, March 19, 2012 — The U.S. Environmental Protection Agency has recognized PECO as 2012 Energy Star Partner of the Year for outstanding contributions to energy efficiency through PECO Smart Ideas, the company's full suite of energy saving programs. The award was presented during a ceremony held in Washington, D.C. on March 15 — marking the 20th anniversary of EPA's Energy Star. PECO Smart Ideas offers many programs to help residential, business, government, non-profit and institutional customers save energy and money. In total more than 300,000 customers have participated in PECO Smart Ideas. Since its launch in October 2009, PECO customers have reduced their electricity use by more than 1 million MWh, saving almost \$200 million through energy efficiency and PECO Smart Ideas rebates. This energy savings has the same environmental benefit as planting more than 1 million trees or not driving more than 1 billion miles. The Energy Star Partner of the Year Awards for Energy Efficiency Program Delivery are given in recognition of efforts to improve energy efficiency and reduce pollution, resulting in significant cost savings. Award winners are selected from about 20,000 organizations that participate in the Energy Star program

PITTSBURGH BUSINESS TIMES

Marcellus Midstream: morning nosh courtesy of Saudi Arabia For the 2,000 or so attendees at the 3rd annual Marcellus Midstream Conference, the bagel spreads this morning were provided by Saudi Aramco, the government-owned energy giant that has no obvious presence in the Marcellus. The company does have offices in Texas, Washington D.C. and New York, but isn't planning on establishing a base here, according to Russell Ross, a staffing consulting with Aramco's North American Staffing Services. "We're here to learn," he said, referring to the technology gas companies use to extract the fuel from shale. In fact, in December, the Wall Street Journal reported that Saudi Aramco made a bid for Frac Tech Holdings LLC. So maybe the Saudis aren't coming into the Marcellus, but Marcellus may be going abroad, according to Jerry Swank, managing partner with Swank Capital.